

STATE MS.-DE SOTO CO.
FILED

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

AUG 22 2 21 PM '01

OLIVIA CLAYTON, also known as,
OLEVIA CLAYTON, By and Through
Her Attorney in Fact, MILTON DOWELL
and NATHAN E. COOK, and wife,
JOYCE L. G. COOK,

BK 398 PG 175
W.E. DAVIS, CLERK

PETITIONERS

VS.

CAUSE NO. 00-5-789 B

RICKY ODOM, ROSIE ODOM,
DEPOSIT GUARANTY NATIONAL
BANK, now known as, AMSOUTH BANK,
and MISSISSIPPI POWER AND
LIGHT COMPANY, now known as ENTERGY,

RESPONDENTS

CONSENT ORDER TO CONFIRM AND QUIET TITLE

This cause came on for hearing this day, the same being a day of the regular term of the Chancery Court of DeSoto County, Mississippi, upon the Amended Petition to Confirm and Quiet Title and Remove Any Cloud on Title, filed by the Petitioners; and the Respondents, Ricky Odom and Rosie Odum having no objection to the relief sought, as demonstrated by the signature of their attorney of record on this order; and the Respondent, Entergy, having no objection to the relief sought as demonstrated by the signature of its attorney on this order; and the Petitioners having previously obtained a default judgment against the Respondent, Deposit Guaranty National Bank, n/k/a, Amsouth Bank; and the Court being fully advised in the premises finds that the Amended Petition to Confirm and Quiet Title and Remove Any Cloud on Title is well taken and should be granted and it appearing to the Court, as follows:

1. That an Amended Petition was filed in this cause and that personal service of process was obtained on the Respondents.

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W E DAVIS, CLERK

2. This Court has jurisdiction of this matter pursuant to the Mississippi Constitution §160 and Mississippi Code Annotated §11-17-29 and §11-17-31.

3. Venue is proper in DeSoto County, Mississippi pursuant to Mississippi Code Annotated §11-5-12 as the property in question is located in DeSoto County, Mississippi.

4. That proper and necessary deraignment of title of the property of the Petitioners has been set forth in the Amended Petition to Confirm and Quiet Title and Remove any Cloud on Title.

5. That due to the complexity and the change of title and the ambiguous references in the Deeds affecting the property of the Petitioners, out of an abundance of caution and pursuant to Mississippi Code Annotated §11-17-29 and Mississippi Code Annotated §11-17-31, it is right and proper for the Chancery Court of DeSoto County, Mississippi to confirm and quiet titles to the property to Ms. Olivia Clayton, also known as Olevia Clayton, and the property of Nathan E. Cook, and wife, Joyce L. G. Cook, and remove any clouds which may exist against the ownership of Ms. Olivia Clayton, also known as Olevia Clayton to her said property, and Nathan E. Cook, and wife, Joyce L. G. Cook, to their said property.

6. That the easements of Mississippi Power and Light Company, now known as Entergy, for electrical power lines and associated facilities should not be extinguished, divested or voided, and by agreement of the parties shall remain in full force and effect as to the property of Petitioners.

IT IS THEREFORE ORDERED AND ADJUDGED, as follows:

1. That the Petitioner, Olivia Clayton, a/k/a, Olevia Clayton, be and is hereby granted title, in fee simple, and title be and is hereby confirmed in favor of Petitioner, Olivia Clayton, a/k/a, Olevia Clayton, against all parties named herein, and against any parties unknown, in the property herein described, to wit: being a part of the East ½ of the Northeast 1/4 of Section 14, Township 2 South, Range 9 West, DeSoto County, Mississippi, better known as 7211 Austin Road and more particularly described as follows:

A 1.7 acre, more or less, tract known as 7211 Austin Road, Lake Cormorant, Mississippi, being a portion of the East ½ of the Northwest 1/4 of Section 14, Township 2 South, Range 9 West, DeSoto County, Mississippi, and being more accurately described as follows:

13.8 acres in the Northeast Quarter of Section 14, Township 2, Range 9 described as: Beginning at a point 12.6 chains West of the Northeast corner of Section 14; thence South 5° 23' East 26.82 chains to the Southeast corner of the Clayton property; thence South 86° 05' West 5.182 chains to the Southeast corner of the property conveyed to G. W. Datson by deed in Book 87, Page 450; thence with Datson's East line North 5° 20' West 26.82 chains to the North line of the Section; thence East on the Section line 5.182 chains to the point of beginning containing 13.8 acres, more or less and being the East 13.8 acres of Lot 2 of the division of the Aaron Clayton Estate as shown by the plat recorded in Plat Book 32, Page 36.

Less and Except the following:

2.0 acres more or less conveyed by Warranty Deed from Olivia Clayton to Ricky Odom and Rosie Odom recorded in Deed Book 213, Page 669;

2.49 acres, more or less, conveyed from Olivia Clayton to Ricky Odom by Warranty Deed recorded in Deed Book 231, Page 515; and

7.60 acres, more or less, being conveyed by Olivia Clayton by Quitclaim Deed to Ricky Odom and recorded in Deed Book 294, Page 668.

2. That the Petitioners, Nathan E. Cook, and wife, Joyce L.G. Cook, be and are hereby granted title, in fee simple, and title be, and the same is hereby confirmed, in favor of Petitioners, Nathan E. Cook, and wife, Joyce L.G. Cook, against all parties named herein and against any parties unknown in the property herein described to wit: the Northeast Quarter of Section 14, Township 2 South, Range 9 West, DeSoto County, Mississippi, also known as Lot #1 and part of Lot #2 of the Aaron Clayton Estate and more particularly described as follows:

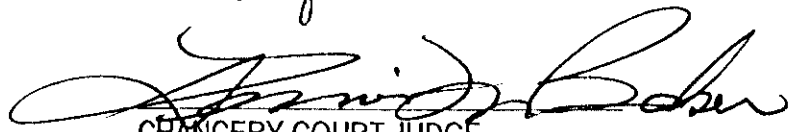
20.0 acres, more or less, being part of the northeast quarter of Section 14, Township 2 South, Range 9 West, DeSoto County, Mississippi and described as follows:
Commencing at the commonly accepted northeast corner of Section 14, Township 2 South,

Range 9 West. Said point being located in Austin Road and marked by a PK nail. Thence S 84 degrees 34' 51" W-1166.81' along the north line of said section and Austin Road to a point in said roadway. Said point being the northwest corner of the Clayton tract as recorded in Deed Book 123, Page 189, and at the northwest corner of said 20.0 acres and the point of beginning (point marked by a 3/4 pipe set 17.36' south on line. Thence S 05 degrees 20' 21" E-1766.74' along the west line of the Clayton tract and the west line of the Odom Subdivision as recorded in Plat Book 59, Page 9 to 1/2 rebar at the southwest corner of said subdivision and on the north line of the Mangum tract as recorded in Deed Book 171, Page 221. Thence S 85 degrees 29' 09" W-102.05' along the north line of the Mangum tract to a 3/4 pipe at the northwest corner of the Mangum tract and the northeast corner of the McGowen tract as recorded in Deed Book 223, Page 555. Thence S 85 degrees 36' 40" W-392.61' along the north line of the McGowen tract to a 3/4 pipe at the northwest corner of the McGowen tract and on the east line of the Don Robertson tract. Thence N 05 degrees 14' 10" W-1770.37' along the east line of the Robertson tract and the east line of the Comb's tract to a point in Austin Road (point marked by a 3/4 pipe set 17.36' south on line). Thence N 85 degrees 43' 43" E-491.5' to the point of beginning. Parcel being the west 3.077 acres of lot 2 and all of lot 1 of the Aaron Clayton Estate survey by Sam W. McCleskey dated March 1946.

3. That the easements of Mississippi Power and Light Company, now known as Entergy, for electrical power lines and associated facilities, on the land in the northeast 1/4 of Section 14, Township 2 South, Range 9 West, as recorded in: Book 25 Page 402; Book 100 Page 20 ; Book 150 Page 425; and Book 307 Page 745, of the land records of the Chancery Court Clerk's office in DeSoto County, Mississippi will not be extinguished, divested or voided, and shall remain in full force and effect as to the property of Petitioners as recorded.

4. The Clerk of this Court is hereby requested and directed to record a certified copy of this order on the Land Records of DeSoto County, Mississippi.

ORDERED AND ADJUDGED, this the 30 day of August 2001.


CHANCERY COURT JUDGE

Approved as to Form:

By: Anthony Nowak
Anthony Nowak #10528
Attorney for Olivia Clayton

By: Ronald L. Taylor
Ronald L. Taylor #7993
Attorney for Nathan E. Cook and Joyce L.G. Cook

By: Joseph D. Neyman, Jr.
Joseph D. Neyman, Jr. #10399
Attorney for Ricky Odom and Rosie Odom

By: Dempsey Lachner
Dempsey Lachner #1759
Attorney for Eolergy

CLERK OF COURT
JEREMY CLERK
2001
August 21st
By: S. Patrick